

## PLATT'S WISHES ON EXCISE OBEYED.

His Whip Hand in the Caucus  
Over the Raines  
Bill Felt.

The "Party Measure" Bugaboo Was  
Sufficient to Keep Warring  
Senators in the Ranks.

LAMY DENOUNCED BY BREWERS.

Coggeshall Declared That It Meant Death  
to the Party—Ellsworth Asked That  
No Tinkering Be Done When  
the Bill Comes Up.

Albany, Feb. 28.—One of the longest and most remarkable caucuses ever held by Republican legislators was concluded at 3 o'clock this morning, with the machine apparently triumphant, but badly damaged. As a result of the violent scenes and debates which for seven hours raged in the Senate Finance Committee room, the Raines bill was materially changed and made a party measure.

It looked for a while as if the opponents of the bill were going to kill it by the force of their opposition, but Senator Parsons, of Rochester, and Senator White, of Syracuse, weakened at the critical moment and the Platt element saved the bill from extermination. Senator Wray, of Brooklyn, and Senator George A. Davis of Buffalo, are entitled to the chief credit for amending the bill.

The Platt victory was barren, for what Mr. Platt insisted upon was the retention of the clause giving the State half the excise revenue. The retention by localities by two-thirds of the revenue, means a smaller excise machine, fewer good attorneys, and a smaller secret political fund than was originally intended. Unless something unforeseen happens the Excise bill as amended in caucus last night, will be made a law. The leaders expect it to go through the Senate next week with 32 votes.

The Republicans who will not vote for it are: Frank D. Pavey, of New York; George A. Davis and Simon Selbert, of Buffalo, and Henry J. Coggeshall, of Oneida, who was not invited to the caucus. When Senator Coggeshall appeared to-day, he said:

**COGGESHALL'S AMENDED TITLE.**  
"I'm going to suggest an amended title for that Excise bill right away," he remarked. "It ought to be called 'an act to raise revenue, promote police, distribute offices and knock out the Republican party.' It will do all these things, and I wonder how some of my colleagues will square themselves with the poor growers, the barley raisers and the owners of vineyards in the grape counties?"

Just before the opening of the Senate there was an exciting scene in the ante-room. The actors were Senator Ellsworth, the Republican leader; Senator Lamy, of Buffalo, and a delegation of enraged brewers, who had just arrived from the Queen City. They had started for Albany at once on learning that Senator Lamy had wavered in his allegiance to the Raines bill of Buffalo, and had only just heard that he had bound himself to the Raines bill in the caucus, and that they were several hours too late.

The delegation consisted of Colonel "Joe" Schwarz, of the Star Brewery; "Charlie" Finkow, of the Clinton "Opal" Shaffer, of the Lake View; George Gunther, of Beck's, and William Simon, of Schlessers. They first accosted Senator Ellsworth, and expressed themselves in most forcible language. Then they sent a messenger for Senator Lamy, and when he appeared Colonel Schwarz stepped forward:

**BREWERS SCARE LAMY.**  
"What do you mean, Lamy, by agreeing to vote for this Raines bill?" shouted Schwarz.

Senator Lamy flushed, and before he could reply Colonel Schwarz continued: "Don't you know it will lose the brewers thousands of dollars? Our firm will be out of pocket a hundred thousand dollars alone on the mortgages it holds on the grocers who will have to give up selling beer and go out of business!"

"Yes," chimed in Mr. Schaffer, "and, you know, our people don't want this bill."

"Gentlemen, I did the best I could," pleaded Senator Lamy.

"Your political career is ended!" shouted Colonel Schwarz. "You let Platt crush you in his fist!"

This incident caused much comment during the day and was generally believed to be an indication of the way in which the brewers, barley growers and hop farmers feel about the Raines bill. Speaker Flynn says it will be caucused on in the Assembly just as soon as the Senate has acted and that he believes the House caucus will do as did that of the Senate.

**SOME OF THE AMENDMENTS.**  
The fees of the county treasurer for collecting the tax were reduced from 2 to 1 per cent in counties containing cities of the second class, and from 3 to 2 per cent in those containing cities of the third class. The section of the bill referring to drugists' licenses is also amended so that they can sell alcohol for medicinal, mechanical and artistic purposes. This is supposed to prevent the sale of the many preparations that contain alcohol, such as popular "rondes" and the like.

Every other amendment offered in the interests of either business or popular convenience was defeated. According to the official statement of Senator Stewart, the caucus secretary, Senators Selbert and G. A. Davis, of Erie County, were excused from voting on any motion at the beginning of the long struggle, as they were unalterably opposed to the Raines bill in any form.

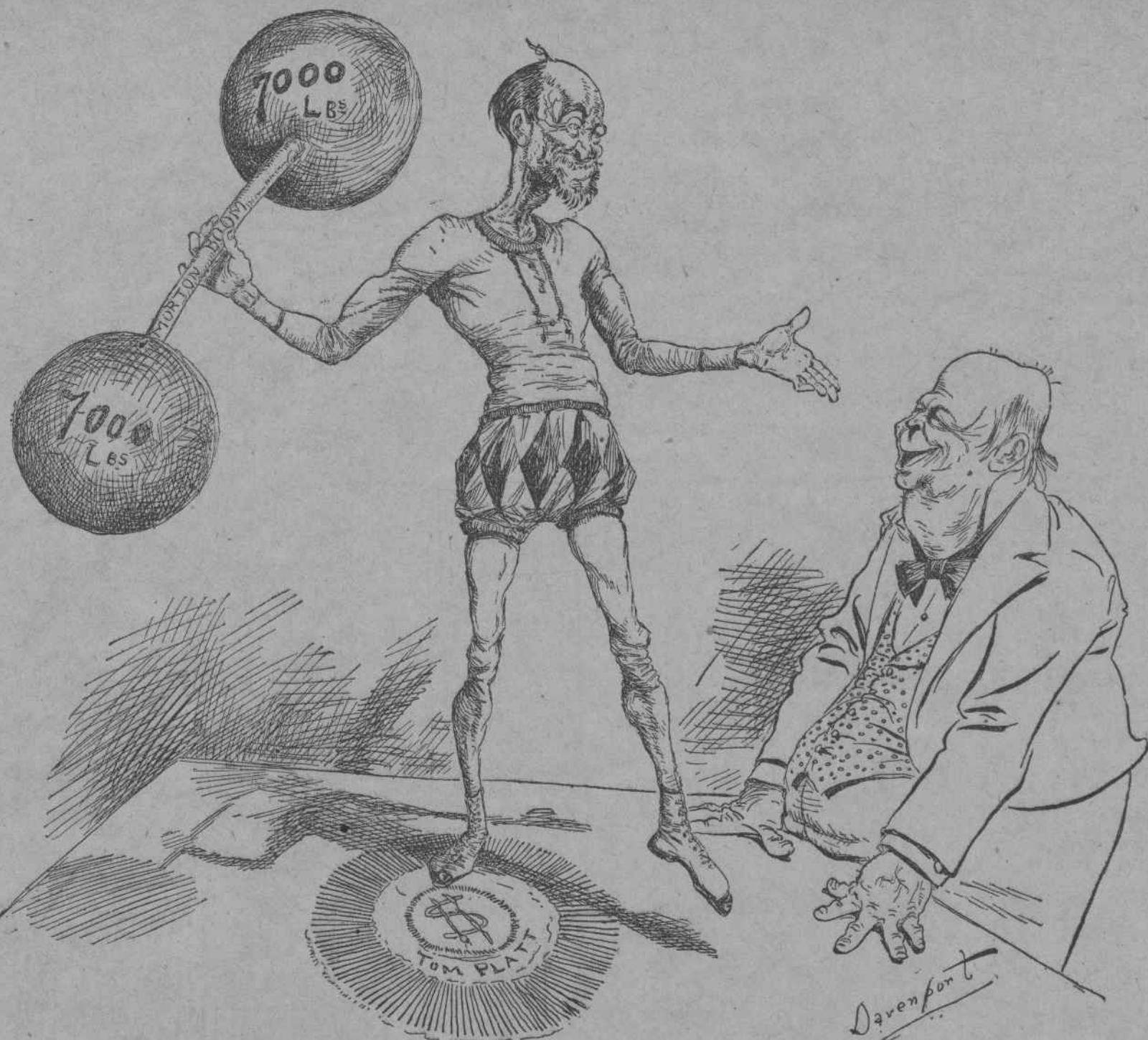
The roll call showed 29 Senators for and 11 against the proposition to bind them by the action that was about to be taken.

**VOTED AGAINST ORDERS.**

Those who voted against the orders of Senator Ellsworth were Senators Brackett, Brush, Ford, Harrison, Lamy, Mullin, Parson, Sheppard, Wieman, White and Wray. Having assured himself that the will of the Republican machine would prevail in the end, Senator Ellsworth put on the screws. One Senator put the situation in this way:

"I never in my life saw a more pitiable spectacle than was presented by the Senators when they begged from the machine representative some consideration, either for their own views or for the necessities of their localities."

Senator Burns made the first attack on the bill by an amendment giving Westchester towns that have become a part of New York City the benefit of the low town license fee, instead of the almost prohibi-



## "KEEP YOUR EYE ON YOUR UNCLE, TOMMY."

five metropolitan rate. This amendment was put through with a rush by a vote of 25 to 5.

The question of dividing the tax money resulted in the defeat of Senators Ellsworth and Raines and a victory for the counties.

The ratio of one-third and two-thirds was adopted by a vote of 15 to 14. An attempt to secure some consideration for the Germans and the brewers for providing for an ale, beer and light wine license at one-half the fee fixed for the privilege of selling hard liquor, was defeated.

**A BLOW TO THE CLUBS.**  
An effort to reduce the license fee fixed for grocery stores that sell liquor met a similar fate. But two votes could be secured for the provision to allow clubs to sell drinks with meals on Sunday.

The amendment reducing the percentage to be paid county treasurers for collecting the taxes was passed, but an effort to reduce the salaries of the Excise Commissioner and his special deputies \$1,000 each was beaten immediately.

**ACCUSED OF TREACHERY.**  
To the surprise of everybody, Senator Ellsworth here took occasion to try to reconsider the vote by which it had been decided to divide the tax money on a one-third and two-thirds basis. Several Senators vehemently accused him of treachery, and this amendment was also lost.

Senator Ellsworth then made the wholly unexpected and unusual motion that no amendments should be offered to the bill by anybody present, when it came up for discussion in the Senate.

With sorrowful voices the little band of martyrs agreed to the scheme and were then allowed to go to their homes. A feature of the caucus was the row between Lexow and Brush, and Lexow and Wray. It was almost a knock-down-and-drag-out affair, and caused by Mr. Lexow's taunts about the kind of Republicanism that caused men to oppose party measures.

**Troy Liquor Men Up in Arms.**  
Troy, N. Y., Feb. 28.—The Local Liquor Dealers' Association held a special meeting this afternoon, at which a fund was created with which to fight the pending Raines Excise bill in the Legislature. Each member subscribed liberally.

**TAMMANY MEN ARE AT ODDS.**  
Contest in the Seventeenth District Likely to Be a Close One.

The special election for Member of Assembly from the Seventeenth District will be held next Tuesday. There is considerable local interest in the result. Under normal conditions the district is Democratic, and sent the late Patrick J. Kerrigan to the Assembly last Fall by a big majority. The failure of Daniel J. Gleason to receive the nomination from Tammany Hall has angered many of the Tigers in the district, and they have not given Francis J. Goodman, the nominee, that loyal support typical of the Tammany organization.

Lewis J. Cook, the Republican candidate, has made a vigorous campaign, and is hopeful of success. The cry has been raised against Goodman that he is a "carpet bagger" and does not live in the district which he wants to represent. Ex-Police Justice Daniel F. McMahon, Tammany leader in the district, yesterday predicted Goodman's election by a good sized majority.

**C. P. Huntington Has Recovered.**  
At the residence of C. P. Huntington, No. 2 East Fifty-seventh street, it was said last night that Mr. Huntington had been confined to his house for a few days with a slight cold, from which he has so far recovered that he was able to be about the house.

**Is It November in Philadelphia?**  
[Chicago Tribune.]  
The Philadelphia editor who was robbed of four overcoats in a store which appears at first sight to be about the first of November in Philadelphia now and winter is just beginning.

**"BILL" NYE'S LAST STORY.**  
Written for the Journal just before the great humorist died. Published only in next Sunday's Journal.

## TO KEEP 30,000 MEN FROM VOTING.

City Club Applies to Supreme  
Justice Andrews for a  
Mandamus.

Device to Prevent Inspectors  
Aiding Those Who Can't  
Read and Write.

If They Are Not Helped to Prepare  
the Ballots They Are Unable  
to Cast Them.

10 PER CENT OF VOTERS UNEDUCATED

Wheeler H. Peckham and Horace E. Deming Contend That if a Man Can't Write He Is Too Ignorant to Vote—Decision Reserved.

What appears to be an attempt on the part of the City Club to disfranchise every man in New York who cannot read and write was made yesterday in the shape of an application to Justice Andrews for a mandamus ordering the inspectors of the Thirty-fourth Election District to see to it that nobody enters a voting booth with an illiterate voter at a special election to elect a successor to the late Assemblyman Patrick J. Kerrigan, to be held in that district March 3.

The application is based on the plea that Section 105 of the Election Law, authorizing inspectors to assist illiterate voters in the preparation of their ballots, is unconstitutional under Article II, Section 5, of the State Constitution, which declares that "the secrecy of the ballot shall be preserved." If Justice Andrews shall grant the application thousands of voters will be prevented from voting under the ballot system now in use.

This attack upon the rights of voters was made by the City Club over the shoulders of Isaac H. Klein, who swears he is a voter in the district.

Wheeler H. Peckham and Horace E. Deming appeared as Klein's counsel, and Leavitt, Wood & Keith as his attorneys. Mr. Peckham opened the argument in favor of the application. He attacked the constitutionality of section 105 of the Election Law, mainly on the ground that it destroyed the very thing at which the will of the people most almost—the secrecy of the ballot. The section of the law authorizing election officers to assist illiterate voters in preparing their ballots was, he urged, merely a makeshift to evade one of the principal provisions of the new Constitution.

**WHAT THE LAW MIGHT BE.**  
"If it provided," said Mr. Peckham, waving a warning finger at Justice Andrews, "that inspectors should be allowed to enter a booth and write on a slip of paper the name of the man for whom the illiterate voter wished to vote, and then leave him to attach it to the ballot or not as he chose, that would preserve the secrecy of the ballot. That would be a fair law, showing at least that the Legislature had some regard for the Constitution of the State. But the existing Election Law provides for no such secrecy."

Mr. Peckham urged that no man who could not read and write should be allowed to vote anyhow. Much more than 90 per cent of the voting population of this State—of this city, in fact—was sufficiently educated to be able to vote with that secrecy commanded by the Constitution. He admitted, though, that in quarters where cit-

zens of foreign extraction were gathered the average of education might be lower.

"I do not think," continued Mr. Peckham, "that there would be any great danger to the liberties of this country, nor any great danger to the liberties of any citizen, if it should be understood that one of the requirements of his being allowed to vote would be that the voter should at least be able to write the name of the man for whom he wished to vote. No man, under the conditions under which we live, can vote intelligently without being able to do what any little child of five or six years can do, to write the name of the man for whom he wishes to vote."

**EASY TO LEARN TO VOTE.**

"Surely it would be no great hardship to impose upon a voter to tell him that in order to vote he must learn to write, a thing which any intelligent man can do in twenty-four hours. If he is not willing to take that small amount of trouble he should not be allowed to express his opinion upon matters of public interest, for it could not be an intelligent opinion."

Assistant Corporation Counsel Parley, in opposing the application for the mandamus, said:

"Your Honor, the law presumes that every officer of the law will perform his duty. Therefore, until he has failed to perform his duty, a peremptory writ of mandamus cannot issue. There is nothing in Mr. Klein's papers to show that the election inspectors intend to allow inspectors or any other persons to enter the ballot booths with illiterate voters, except his deduction based upon what was done at the general election of November 5."

"Then, too, the secrecy of the ballot is something of which the voter cannot be deprived without his consent, but it is dependent upon his right to vote and is only a part of that right. It must not be followed so closely as to defeat his right to vote."

Mr. Deming concluded the argument in favor of the application. He said:

**SECRECY COMMANDS.**  
"The Constitutional Convention, for the first time in the history of any Constitution of any State in this Union, embodied in the organic law of this State the provision that all elections of public officers must be by a secret method of voting. It ordered that all elections should be by ballot, provided secrecy could be preserved. But it did not stop there. To emphasize the positive mandate of secrecy upon the Constitution, and fearing that voting by ballot might make secrecy impossible in certain cases, the people of this State of New York, in Constitutional Convention assembled, authorized the Legislature to adopt any other method of voting compatible with secrecy. First, last and all the time, the Constitutional Convention commanded that the secrecy of the ballot should be preserved."

"It is a fallacy, Your Honor," Mr. Deming went on in tones that alone broke the stillness of the crowded court room, "to suppose that merely because a man is twenty-one years of age and is a resident of the district, he therefore has the right to vote. The Constitution says to every citizen, 'If you are over twenty-one years of age and are a legal resident of your district, you shall be allowed to vote, provided that you will comply with certain conditions'—the most important of those conditions is—the secrecy of the ballot."

Mr. Deming stated that twenty-five thousand voters, not illiterate, had been practically disfranchised at a previous general election because they experienced such difficulty in expressing their choice upon the ballot paper. Perhaps thirty thousand voters would be prevented from casting ballots.

"If we were to allow a voter to be assisted merely because he says that he, by reason of illiteracy, is unable to write, we would put a premium upon the concoction of complicated methods of voting intended to defeat the great object of the Constitution relating to this question—the secrecy of the ballot. Preserve it, and you encourage bribery, and retain the temptation to adopt methods of voting not consistent with the secrecy of the ballot and directly inimical to the right of franchise. This section

of the election law, in my opinion, is simply an attempt to subject the voter to improper influence in the exercise of his right."

**MR. STECKLER APPROVES.**  
Charles Steckler, of the Independent County Organization, said he was heartily in sympathy with the move of the Good Government people in their endeavors to show that portions of the present ballot law are unconstitutional.

"That provision of the law which permits of an inspector to enter a booth with an illiterate voter is simply opening the door to corruption," he said. "A man may not be able to read or write, and as a protection to this class the law provides that there shall be party emblems. Any illiterate man can immediately recognize the difference between a star and a cannon. He knows the emblem representing the party whose ticket he intends to vote before he enters the polling booth. Now what necessity is there for an inspector to go into the booth with him? That part of the present law is, in my opinion, unconstitutional, and there is no necessity for it."

"It was simply inserted to help the machines, as it is they that select the inspectors. Suppose Tammany wants to buy the vote of John Smith. The district captain simply tells John Smith when he goes to write. A Tammany inspector goes in the booth with him and sees that he votes the straight Tammany ticket. I do not mean to say such an act has been performed, but I do say that it could be done. If the Good Government people succeed in having that provision of the present law eliminated they will have performed a great service toward the purification of the ballot."

"Another part of the present law which is wrong and unjust is that which prohibits independent candidates from having a circle under their emblem. The Independent County Organization by their vote at the last election have now the right to a circle, but the fact remains that thousands of our ballots were thrown out because voters marked a cross under our emblem thinking it had the same effect as a cross marked in the circle under another emblem would have had. I understand that an attempt will soon be made to prove this part of the law also unconstitutional, and I sincerely trust that it will be successful."

**AN OUTRAGE, MR. SHEEHAN SAYS.**  
John C. Sheehan, leader of Tammany Hall, and who was until a few weeks ago associated with ex-Judge Edward Broome in the practice of law, said, when informed of the court proceedings:

"This is an outrage, and is simply an attempt upon the part of these people to disfranchise as many voters as they can in this Democratic city. The attempt will fail. We did not know anything about this until now, but the information will be at once communicated to the Tammany Hall Law Committee, and we will be represented when the matter again comes up in court."

"The claim made by these gentlemen that the section of the law that permits an inspector to enter a polling booth with an illiterate voter is not in keeping with the Constitution is absurd and I am confident that Justice Andrews will not grant the writ. Why, if this ruling should be in favor of Mr. Klein, thousands of men in this city would be prevented from exercising the electoral franchise, which they have every right in the world to use. Blind men, men who have lost their hands, and others who have been afflicted in ways that would prevent them from preparing their own ballots would be debarred from voting."

"Every ballot law we have ever had has made some provision for the preparation of ballots for illiterate voters, and the present law, which was introduced by Senator Raines, makes the same provision."

James J. Martin, chairman of the Tammany Executive Committee, who was present while Mr. Sheehan was speaking, appeared indignant over the information and said with emphasis:

"Why, if Peckham should lose the sight of his other eye he would be prevented from voting should the courts rule upon this application in his favor."

## SAYS SHE WAS ABDUCTED.

A Salvation Army Lass Brings  
Charges Against a Fel-  
low-Soldier.

Lillie Williams, of Newark, Claims  
She Was Forced by Threats to  
Accompany Frank Ellis.

THE MAN IS PLACED UNDER ARREST.

They Became Acquainted in the Barracks  
and Both March in the Ranks.  
Ellis Declines to  
Talk.

The excitement caused in Salvation Army circles in Newark, N. J., by the removal of Ballington Booth from the command of the Army in America was mild in comparison to that caused to-day by the announcement that Lillie Williams, a member of the Army, had disappeared from her home, and that Frank Ellis, a young Englishman, who had been a recruit for a few months, had also disappeared. He boarded at the corner of Market and Stone streets.

The two "soldiers" were found last night by the police in a house on Summit place. The man was locked up and the woman was sent home.

Lillie is a pretty girl and lives with her mother, brother and two younger sisters at No. 10 Stone street. Mrs. Williams is an octogenarian.

Lillie worked in the Clark Thread Mills during the day, and in the evening attended the services in the Salvation barracks on Belleville avenue.

For over three years Lillie went through a regular routine, going to work in the morning, returning at night, and then donning her uniform to attend the services at the barracks. She seemed to be wrapped up in the Army and to all appearances found much enjoyment in it.

The girl first saw Frank Ellis one night last Fall in Barracks No. 1. He was in the audience, and his attempts to flirt with the "ladies" is what drew her attention to him.

A few weeks later he made his appearance at Barracks No. 4, where the girl regularly attended. The night that he appeared there he went to the platform, stated that he wanted to reform and was anxious to join the Army. He was received, and it was observed, became very attentive to the Williams girl.

Captain Lindsay, who is in charge of the barracks, is alleged to have warned the girl against Ellis and told her that she should learn more about him before she received his addresses.

Miss Williams started for work Thurs-

## DEATH OF HENRY J. BANG.

The Proprietor of the Sturtevant House  
Succumbed to an Attack of  
Pneumonia.

Henry J. Bang, proprietor of the Sturtevant House, Broadway and Twenty-ninth street, and of the cafe at No. 1214 Broadway, died shortly after 2 o'clock yesterday morning in his apartments in the Sturtevant House. Mr. Bang had been ill for several weeks with Bright's disease. He recovered from the attack and was almost well enough to leave his rooms, when about ten days ago he was stricken with pneumonia.

Mr. Bang had a relapse Thursday, and yesterday morning he died.

Henry J. Bang was thirty years old, and was born at Brighton-on-the-Rhine. He came to this country with his father and his two brothers in 1860. His father owned two restaurants on Broadway and took his son into partnership.

After the death of the elder Bang, business was continued by the late Henry J. Bang, the eldest son. In those days Bang's restaurant was the favorite resort of the leading politicians, William M. Tweed and his associates and Horace Greeley and his friends being among his regular customers.

Mr. Bang opened the cafe at No. 1214 Broadway twenty years ago, and became proprietor of the Sturtevant House in 1880. He conducted the hotel until he was first taken ill, when the management fell upon his four sons, who were engaged in the hotel as cashier and clerks.

Mr. Bang is survived by a widow and four sons, Henry A., Frank J., William G. and Arthur C., and a daughter, Augusta, aged nineteen years.

The funeral services will be held on Monday from the Collegiate Church, Fifth avenue and 107th street, and the interment will be in the family plot in Greenwood Cemetery.

## TO PROTECT A BOY'S RIGHTS.

Guardian-at-Law Appointed for John A. Pell's Grandson.

William Blaikie was appointed guardian-at-law of Charles Harris Livingston Phelps by Justice Beach in the Supreme Court yesterday afternoon to protect his ward's interests in proceedings for the construction of certain clauses in the will of John A. Pell, instituted by Colonel S. Van Rensselaer Cruiger, as executor.

Charles is ten years old, and the son of Eleanor Livingston Phelps, whose father, Mr. Pell, and mother are dead. Mr. Pell's estate was worth more than \$1,000,000, and Mrs. Pell's about \$600,000.

Their daughter, the wife of Charles Harris Phelps, is to get the incomes of both only upon the condition that she live in this country in Europe, unless she be divorced from her husband.

Those provisions, it is urged, are inimical to public policy.

## MUNZER TURNED ON THE GAS.

A Visit from a Friend Probably Saved the  
Advance Agent's Life.

Joseph L. Munzer, forty years of age, a theatrical advance agent, attempted suicide yesterday at No. 140 East Seventeenth street, by inhaling gas. He was removed to Bellevue Hospital in a critical condition and unconscious.

A friend called at the house to see him



## Charges Against a "Soldier."

Lillie Williams and Frank Ellis, of the Newark Salvation Army, were thought to have eloped. The woman says Ellis forced her to accompany him. Ellis was arrested last night.

Lillie morning, but did not return to dinner. This did not alarm her mother, but when the girl did not return at night Mrs. Williams became anxious. She went to the barracks, but her daughter was not there, and neither was Ellis.

Mrs. Williams was told by one of Lillie's shopmates that Ellis had met the girl when she left the shop at noon and that they then walked away together.

The police are looking for the girl.

**FOUND THE COUPLE.**

Detectives Murphy and Fallon last night received word that Ellis and the girl were at a house on Summit place. They went there and found the girl and took her home. Later the detectives found Ellis on Market street and took him to the Second Precinct Station. He refused to say a word.

Miss Williams told the police that Ellis met her as she came from the shop Thursday at noon and insisted on her accompanying him to the house on Summit place, where friends of his lived.

She demurred at first, but she alleged that he threatened to kill her if she did not comply. Fearing he would carry out his threat, she said she went with him to the Summit place house. They remained there until late Thursday night.

When they left Miss Williams expected he would take her home. Instead, he induced her, under threat of death, she claimed, to go with him to a hotel on Market street. She sat in the room until morning.

After leaving the hotel they went to the Summit place house again. Lillie got a chance to tell the woman what had happened, and also told her that she feared Ellis would kill her if she attempted to leave. The woman, under the pretence of going to a neighboring store, went to Miss Williams's house and notified her mother.

The police were then notified and found the couple.

**Colonel Bob Will Talk.**

Colonel Ingersoll sends word that he will come to Chicago and speak from the pulpit of the Militant Church, and tell the congregation what his religion is, and what he thinks a church should be. It will be noticed that he divides his subject into two parts, and it is suspected that he will discuss the second section at much greater length than he does the first.

**An Ardent Wish.**

[Washington Star.]  
We wish some candidate would now jump in and appropriate a little of Abe Lincoln's horse sense.

**BEHIND THE SCENES.**  
with a great actress. Few have the privilege of seeing public characters from close range, but a Journal woman has done so, and tells just what this great actress is like in private life. Order your newsdealer to-day to save you a Sunday Journal, so that you may read and satisfy your curiosity.

## The \$25 Overcoats

Reduced to \$10

All sold at once. As fast as we can prepare them they go. More put in the ten dollar lot to-day—more because all ten dollar Overcoats are gone. More because we can't carry over twenty-five and thirty dollar Overcoats any better than we can ten dollar ones. More because, if they don't go at \$30, \$25 and \$15 they must go at \$10.

That's the whole story. Every one must go—at \$10 if they must.

E O THOMPSON

245

Broadway

Opposite City Hall Park—Cor. Murray St.